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STARBUCKS CORPORATION,
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COFFEE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MA JANETTE MEDRANO, an individual,

Plaintiff,

v.

STARBUCKS CORPORATION, a
Washington corporation doing business in
California; STARBUCKS COFFEE
COMPANY, a Washington corporation doing
business in California; and DOES 1-50,
inclusive,

Defendants.

CASE NO. 4:11-cv-04846-YRG

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING MANDATORY
SETTLEMENT CONFERENCE
DEADLINE**

Action Filed: July 21, 2011
Trial Date: February 4, 2013
Judge: Hon. Yvonne Gonzalez Rogers

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CASE NO. 4:11-cv-04846-YRG

JOINT STIPULATION AND ~~PROPOSED~~
ORDER
EXTENDING MANDATORY SETTLEMENT
CONFERENCE DEADLINE

1 Plaintiff Ma Janette Medrano (hereinafter "Plaintiff") and Defendant Starbucks
 2 Corporation, doing business as Starbucks Coffee Company (hereinafter "Starbucks" or
 3 "Defendant"), hereby stipulate, and respectfully request that the Court agree, that the deadline by
 4 which the parties must attend a mandatory settlement conference before a Magistrate Judge be
 5 extended from July 31, 2012, to August 31, 2012. As set forth below, the parties had to
 6 reschedule Plaintiff's depositions in order to provide Plaintiff with additional time to procure and
 7 turn over her Employment Development Department ("EDD") records. As a result, the parties ask
 8 for an extension of time to complete their mandatory settlement conference until August 31, 2012.

9 1. On February 14, 2012, Honorable Yvonne Gonzalez Rogers referred this matter for
 10 a mandatory settlement conference before a Magistrate Judge to occur by May 14, 2012. (Dkt.
 11 No. 19.) This matter was referred to Magistrate Judge Bernard Zimmerman for settlement
 12 purposes and the parties and the Court agreed to a settlement conference of May 10, 2012. (Dkt.
 13 No. 22.) This date was selected to accommodate the scheduling of Plaintiff's deposition for April
 14 19, 2012, as each party believes that a settlement conference will be most meaningful after the
 15 completion of Plaintiff's deposition and limited discovery.

16 2. On February 24, 2012, Starbucks initially informed Plaintiff's counsel that it would
 17 be seeking Plaintiff's EDD files for disability and unemployment benefits. The parties disagreed
 18 over what EDD records should be released and sought judicial intervention after their meet and
 19 confer efforts were unsuccessful. Thereafter, on March 21, 2012, this Court ordered Plaintiff to
 20 request the records in dispute from the EDD and produce relevant portions of the EDD records and
 21 a log identifying the nature of any documents not produced by April 12, 2012 – "based on the
 22 Court's understanding that these records are needed for Plaintiff's deposition noticed for April 19,
 23 2012." (Dkt. No. 32.) The Court also wrote: "If the records cannot be obtained from the EDD and
 24 produced pursuant to the above timeframe, the Court encourages the parties to meet and confer
 25 regarding additional dates." (*Id.*)

26 3. As a result of the Court's order, counsel for Plaintiff submitted a request to the
 27 EDD for Plaintiff's files.

28 4. Plaintiff's counsel did not receive a response from the EDD in April 2012.

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1 Accordingly, the parties agreed to reschedule Plaintiff's April 19th deposition to June 14, 2012.
2 The parties also agreed to reschedule three third-party witnesses' depositions to June 19, 20 and
3 21, 2012.

4 5. For each of these reasons, the parties agreed that they would be able to participate
5 in a more meaningful settlement conference if they were able to move the deadline to attend a
6 settlement conference to the end of July. Accordingly, the parties jointly sought the Court to
7 extend the May 15th deadline to complete their mandatory settlement conference in order to
8 accommodate the completion of Plaintiff's deposition after receipt of her EDD records.

9 6. Counsel for the parties also met and conferred and sought approval to reschedule
10 the May 10, 2012 mandatory settlement conference to July 11 or 12, 2012, when all parties are
11 available.

12 7. On April 23, 2012, Honorable Judge Yvonne Gonzalez Rogers granted the
13 stipulation extending mandatory settlement conference, and the deadline was extended to July 31,
14 2012. (Dkt. No. 34.)

15 8. On April 30, 2012, Honorable Judge Gonzalez Rogers referred this matter for a
16 mandatory settlement conference to Magistrate Judge Kandis A. Westmore. (Dkt. No. 37.)

17 9. On April 30, 2012, Magistrate Judge Westmore approved the stipulation to
18 reschedule the May 10, 2012 mandatory settlement conference to July 11, 2012. (Dkt. No. 36.)

19 10. On May 10, 2012, the parties requested a rescheduling of the mandatory settlement
20 conference date from July 11, 2012, to July 12, 2012.

21 11. On May 15, 2012, Magistrate Judge Westmore approved the request to reschedule
22 the July 11, 2012 mandatory settlement conference to July 12, 2012. (Dkt. No. 39.)

23 12. On or about June 4, 2012, Plaintiff's counsel received the released documents from
24 the EDD, which only included information about Plaintiff's payment history. On or about June 5,
25 2012, Plaintiff's counsel produced a copy of these documents to Starbucks.

26 13. After receiving the EDD records, on or about June 6, 2012, Starbucks informed
27 counsel for Plaintiff that there were additional EDD documents that the parties were aware of that
28 were not produced by the EDD.

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1 14. On or about June 7, 2012, Plaintiffs counsel called the EDD to find out whether
2 there are other documents including medical records in Plaintiff's EDD files. Plaintiff's counsel
3 was not able to get a hold of the person who is in charge of Plaintiff's files, and left a message.

4 15. Thereafter, Plaintiff's counsel called the EDD several times and left messages
5 every day, and did not receive any response from the EDD.

6 16. On or about June 11, 2012, Plaintiff's counsel sent a letter to the EDD inquiring
7 about additional documentation in Plaintiff's files.

8 17. On or about June 11, 2012, Starbucks took Plaintiff's deposition schedule for June
9 14, 2012, off calendar. Starbucks informed counsel for Plaintiff that the parties would have to
10 reschedule all depositions until after the production of the relevant EDD records.

11 18. On June 14, 2012, Plaintiff's counsel sent another letter to the EDD inquiring about
12 additional documentation in Plaintiff's files.

13 19. On or about June 20, 2012, staff from the EDD informed Plaintiff's counsel that
14 they had already released all documents that they could, and both a subpoena and authorization of
15 release would be necessary to release the other documents. On the same day, Plaintiff's counsel
16 sent Plaintiff a copy of updated authorization of release to obtain Plaintiff's signature.

17 20. Plaintiff's counsel received Plaintiff's signed authorization of release on the
18 afternoon of June 22, 2012.

19 21. The subpoenas and the signed release to the EDD were issued by Plaintiff on June
20 25, 2012.

21 22. The parties have agreed to reschedule Plaintiff's deposition to Wednesday, August
22 1, 2012.

23 23. The parties have agreed to reschedule the depositions of witnesses Emerald Bristol,
24 J'Michael Hodge Johnson, and Tanya Hansen to a date after the completion of Plaintiff's
25 deposition. If Plaintiff's deposition is completed on August 1, 2012, the parties agree to take the
26 depositions of witnesses Emerald Bristol, J'Michael Hodge Johnson, and Tanya Hansen on dates
27 in the beginning of August 2012.

28 24. For each of these reasons, the parties agree that they would be able to participate in
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a more meaningful settlement conference if the deadline to attend a settlement conference is moved to the end of August. Counsel for the parties also met and conferred and mutually agreed to seek Magistrate Judge Westmore's approval to reschedule the July 12, 2012 mandatory settlement conference to August 22 or 24, 2012, when all parties are available. Accordingly, the parties would like the Court to extend the July 31, 2012 deadline to complete their mandatory settlement conference in order to accommodate the completion of Plaintiff's deposition after receipt of her EDD records, and then the depositions of the three third-party witnesses identified above.

The parties hereby respectfully submit a joint request that the Court extend their deadline to attend a settlement conference to August 31, 2012. The parties do not seek any other modifications to the scheduling order at this time.

SO STIPULATED.

Respectfully submitted,

Dated: June 26, 2012

LAW OFFICES OF DANIEL FEDER

By /s/ Qian Sun
DANIEL FEDER
QIAN SUN

Attorneys for Plaintiff
MA JANETTE MEDRANO

Dated: June 25, 2012

VILLARREAL HUTNER & TODD PC

By /s/ Jessica N. Leal
LARA VILLARREAL HUTNER
JESSICA N. LEAL

Attorneys for Defendant
STARBUCKS CORPORATION,
doing business as STARBUCKS
COFFEE COMPANY

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the deadline for the parties' mandatory settlement conference before a Magistrate Judge to occur by will be extended to August 31, 2012.

Dated: June 28 2012

By


Honorable Judge Yvonne Gonzalez Rogers